

**IN THE DAVIS COUNTY JUSTICE COURT, COUNTY OF DAVIS  
STATE OF UTAH, BEFORE THE HONORABLE JERALD L. JENSEN**

When you appear in court the first time, the charges in your case will be explained. You are also advised of your rights and court procedures. Your appearance in court is for you to be heard and for a fair and impartial hearing.

The Constitution guarantees you certain rights. You have the right to:

- 1) Be represented by an attorney during all proceedings.
- 2) A reasonable continuance to talk to an attorney before entering your plea. (If you wish to talk to an attorney, notify the Judge when your case is called.)
- 3) Request a court appointed attorney. (The Judge will decide if you are eligible based on the probability of jail if convicted, and your ability to pay.)
- 4) Be presumed innocent until proven guilty beyond a reasonable doubt.
- 5) Be informed of the charges against you and have an explanation of the charges.
- 6) The filing of a formal written information.
- 7) Require witnesses to appear to testify in your defense.
- 8) Testify, or not to testify, in your own defense at your trial.
- 9) Cross-examine or ask questions of any witnesses at your trial.
- 10) A trial by jury if the charge is a misdemeanor.
- 11) An appeal within 30 days from the date of conviction.

**ENTRY OF PLEA**

If you have any questions concerning the offense(s) alleged, or your rights, you may ask the Judge. When you understand the offense(s) alleged and your rights, you will be asked to enter a plea of "not guilty", "guilty", or "no contest."

**EFFECT OF A "NOT GUILTY", "GUILTY", OR "NO CONTEST" PLEA**

**A. NOT GUILTY PLEA:**

- 1) A date for your next court appearance will be set. The details of your case cannot be discussed until the next appearance.
- 2) Bail may be required to guarantee your attendance at future hearings. If you are found not guilty at trial, cash bail will be returned to you.
- 3) At the hearing you may represent yourself or be represented by an attorney.
- 4) To obtain a jury trial, you must file a written request with the court. This written request must be filed with the court at least ten days before the trial date.
- 5) If you do not come to trial, the trial may be held even though you're not present. If you are convicted, you may be sentenced in your absence. An arrest warrant may be issued.

**B. GUILTY PLEA OR NOT CONTEST PLEA:**

- 1) A plea of guilty means that you admit you committed the offense(s) charged.
- 2) A plea of no contest means that you do not admit the offense(s), but you do not wish to fight or deny the offense(s). In most cases, a no contest plea has the same effect as a guilty plea.
- 3) You lose the right to a trial, to question the witnesses against you, to have an attorney represent you, to have the charges against you proved beyond a reasonable doubt and your privilege against self-incrimination.

(Please read the other side also)

**EFFECTS OF A CONVICTION**

Often traffic violations do not involve intent to break the law. Traffic violations are usually due to absentmindedness or poor judgment. Traffic laws are enforced to keep drivers alert and as a result, avoid accidents. The penalty is intended to remind us to obey our City and State laws.

**The following penalties are possible in this court:**

***Class B Misdemeanors:*** a fine from 0 to \$1,882.00 and/or 0 to 180 days in jail.

***Class C Misdemeanors:*** a fine from 0 to \$1,419.50 and/or 0 to 90 days in jail.

***Infraction:*** a fine from 0 to \$1,419.50

A mandatory State Assessment fee is included in the amounts above. A penalty will be imposed in relation to the seriousness of the violation. Restitution or compensation to a victim may be ordered if damage is part of your case.

You may be placed on probation to monitor your compliance with court orders. If you are placed on probation, part of your sentence may be reduced upon satisfactory completion of the conditions of probation.

A conviction of a moving violation must be reported to Driver License Division.

**ENHANCEMENTS AND NON-JUDICIAL CONSEQUENCES**

Some offense(s) have higher or enhanced penalties on repeat convictions. Certain crimes have consequences outside or in addition to court imposed penalties. Some of these are listed below. Contact your own attorney for additional information.

<b><u>Charge</u></b>	<b><u>Non-Judicial collateral effects</u></b>	<b><u>Enhancements on repeat convictions</u></b>
<b><i>Domestic Violence</i></b>	Possession of firearms prohibited Resident aliens may be deported	Each subsequent conviction increases severity of penalty one level.
<b><i>Insurance</i></b>	SR-22 insurance required for up to three years to keep driver's license	\$1,000.00 minimum mandatory penalty on 2nd conviction.
<b><i>DUI</i></b>	Driver's license revoked at least 90 days	3rd offenses within six years can be charged as a 3rd Degree felony.
<b><i>Alcohol Related Reckless Driving</i></b>		Same as DUI
<b><i>Possession of Controlled Substance</i></b>	Driver's license revoked one year	Class A Misdemeanor on 2nd offense. 3rd Degree felony on 3rd offense.

**PLEASE PRINT CLEARLY**

NAME: FIRST \_\_\_\_\_ MIDDLE \_\_\_\_\_ LAST \_\_\_\_\_

ADDRESS: Street \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_ MESSAGE PHONE: \_\_\_\_\_

NAME OF COMPANY YOU WORK FOR: \_\_\_\_\_

TODAY'S DATE: \_\_\_\_\_ SIGNATURE \_\_\_\_\_